Remarks

Claims 1-41 are currently pending and stand rejected. Claims 1, 8, 10, 18, 25, 30, and 37 have been amended. Applicants assert that the application is in condition for allowance as set forth more fully below.

Interview Summary

The undersigned participated in a telephone interview with the Examiner on March 9, 2005. During the interview, the Padmanabhan reference was discussed in relation to subject matter of the present application. Namely, it was discussed that Padmanabhan is directed to the sender of a voice message opting for the voice message being sent to be transcribed, whereas the subject matter of the present application is directed to the recipient of the voice message opting for the voice message that has been received to be transcribed. The Examiner acknowledged this difference but directed attention to the Field and Lewis references that were made of record but were not relied upon.

Rejections

Claims 1, 2, 4, 5, 7-11, 13, 15, 17-19, 21, 22, 24, 30, 31, 33, 35-38, 40, and 41 stand rejected under 35 USC 102(e) as being anticipated by Padmanabhan (US Pat 6,219,638). Additionally, claims 3, 6, 12, 16, 20, 23, 32, 34, and 39 stand rejected under 35 USC 103(a) as being unpatentable over Padmanabhan, and claims 25-29 stand rejected as being unpatenable over Padmanabhan in view of Damiba (US Pub 2002/0169605).

The claims have now been amended to more clearly recite that it is the recipient of the voice message who selects whether the voice message is transcribed. As a representative example, claim 1 recites a system that comprises, in part, a storing device for storing a recorded message for a recipient of the recorded message, for playing back the recorded message to the recipient in response to the recipient attempting access to the recorded message, for prompting the recipient to select an action to be performed for the recorded message after the recorded message has been played back and in response to the recipient attempting access to the recorded message for playback, and for receiving a

selection from the recipient to transcribe the recorded message in response to the prompt. Claim 1 further recites a transcription device, in communication with the storing device, for transcribing the recorded message into a computer file upon the storage device receiving the selection from the recipient to transcribe the recorded message.

Padmanabhan fails to disclose that the recipient is given the option to transcribe the message after having accessed the message from storage and listened to it. To the contrary, Padmanabhan discloses that the sender determines whether the message should be transcribed, rather than the recipient. Thus, if the sender chooses not to have the message transcribed but the recipient desires for the message to be transcribed, then the recipient must either manually transcribe it or request that the sender have it transcribed.

Padmanabhan fails to disclose the recitations noted above for claim 1, and claim 1 is allowable over Padmanabhan for at least these reasons. Other independent claims 8, 10, 18, 25, 30, and 37 include recitations similar to those above for claim 1 and are also allowable over Padmanabhan for at least the same reasons. Dependent claims 2-7, 9, 11-17, 19-24, 26-29, 31-36, and 38-41 depend from allowable base claims and are also allowable for at least the same reasons.

Neither Field nor Lewis overcomes the deficiencies noted above for Padmanabhan. Field is concerned only with transcription that occurs automatically upon a message being received for the purpose of determining characteristics of the voice message by analyzing the transcription, which then allows the voice message to be prioritized. However, Field fails to disclose that the recipient selects for the transcription to occur and further fails to disclose outputting of the transcription since the transcription is used only for purposes of analyzing the voice message. Thus, claims 1-41 are allowable over Field.

Lewis discloses a computer-based voicemail system that presents the received voice messages in list form to the user within a graphical user interface (GUI) and allows the user to then select which voice message to transcribe from the list within the GUI. However, presenting the list within the GUI does not amount to prompting the recipient to select an action to be performed for the recorded message in response to the recorded message having been accessed and played back and receiving a selection from the recipient to transcribe the recorded message in response to the prompt. The list of the

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GUI is not presented as a result of accessing the message for playback and does not prompt the recipient with respect to a particular message but instead provides the whole list for the user to pick from for transcription.

Claim 10 additionally recites a system that comprises, in part, a storing device for storing a recorded message for a recipient of the recorded message, for playing back the recorded message to the recipient in response to the recipient attempting access to the recorded message, for prompting the recipient to select an action to be performed for the recorded message after the recorded message has been played back an in response to the recipient attempting access to the recorded message, and for receiving a selection from the recipient to transcribe the recorded message to at least one of multiple different formats in response to the prompt. Claim 10 further recites a transcription device, in communication with the storing device, for transcribing a recorded message into a text file upon the storage device receiving the selection from the recipient to transcribe the recorded message and a converting device for converting the text file to at least one of the different formats that are recognized by different recording devices with the particular formats of the conversion being based on the selection from the recipient.

Padmanabhan, as well as Field and Lewis, fail to disclose that the recipient is prompted for entering a selection to transcribe to at least one of multiple different formats in response to a prompt and then converting a text file to at least one of the different formats where the formats of the conversion are based on the selection from the recipient. In none of these references is the recipient prompted for the output format of the transcription in response to the recipient having accessed the voice message for playback. Thus, claim 10 and dependent claims 11-17 are also allowable for these additional reasons.
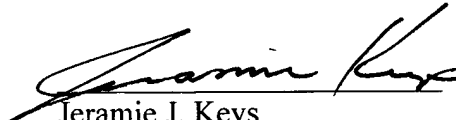
Conclusion

Applicants assert that the application including claims 1-41 is now in condition for allowance. Applicants request reconsideration in view of the amendments and remarks above and further request that a Notice of Allowability be provided. Should the Examiner have any questions, please contact the undersigned.

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No fees are believed due. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

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